

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Timothy Smith,)	
)	C.A. No. 3:05-1135-TLW-JRM
Petitioner,)	
)	
vs.)	ORDER
)	
United States of America; and)	
John LeManna, Warden, FCI-Edgefield,)	
)	
Respondents.)	
_____)	

This matter is now before the undersigned for review of the Report and Recommendation (“the Report”) filed by United States Magistrate Joseph R. McCrorey, to whom this case had previously been assigned pursuant to 28 U.S.C. § 636(b) and Local Rule 73.02(B)(2) (D.S.C.). In his Report, Magistrate Judge McCrorey recommends that this action be dismissed without prejudice and without requiring respondents to file a return. The Report was filed on May 4, 2005. Plaintiff has filed no objections to the Report.

This Court is charged with conducting a de novo review of any portion of the Magistrate Judge’s Report to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636. No objections have been filed to the Report. In the absence of objections to the Report and Recommendation of the Magistrate Judge, this Court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

A review of the record indicates that the Report accurately summarizes this case and the

applicable law. For the reasons articulated by the Magistrate Judge, it is hereby **ORDERED** that the Magistrate Judge's Report is **ACCEPTED** (Doc. # 3), and this case is dismissed without prejudice.

IT IS SO ORDERED.

s/ Terry L. Wooten
TERRY L. WOOTEN
UNITED STATES DISTRICT JUDGE

June 10, 2005
Florence, South Carolina